(33)
375

App. F. IX-4

Previous References 1938-9 (87.)

File No. 197-38

Serial Nos. 1 & 2 (9)

Letter References preserve. Sec Supdt.

F. III (6)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for March 1938

SUBJECT.

Re: 9th amendment of Rules 21 and 22 of the Public Branch, passed at the meeting of the Hyderabad Government held on 17th March 38

(Settlement of claims in respect of assigned Policies)

WD 0295—GPB—22,500—18-8-37

M.R. 14/3/38
31

F. 197-38-192

M. S. L. I.
O. 20.
Encls. 2

In reply please quote:—
No. H. 2-65

MYSORE STATE LIFE INSURANCE OFFICE.

FROM M.Viraraja Urs, Esq, B.A., B.L., Bangalore, dated the 28 DEC 1938
Secretary, Mysore State Life Insurance Committee, Bangalore.

To

A.N.Raghava Char, Esqr, M.A.
Financial Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore.

FIN. 3 JAN. 1939 2234

SIR,

In forwarding herewith a copy of Resolution No.Vi regarding the amendment of Rules 21 and 22 of the Public Branch, passed at the meeting of the Mysore Government Life Insurance Committee held on 17th December 1938, I have the honor to request you to kindly obtain sanction of Government for the amendments.

In the Rules as they stand at present, the requirements to be satisfied before settlement of a claim are not clearly stated and there is no express provision as regards the person to whom payment has to be made in respect of an assigned policy. The Rules in the matter are moreover scattered. The amendments now proposed seek to remedy these defects and consolidate the provisions.

A copy of the two rules as proposed to be amended is enclosed.

I have the honor to be,
Sir,
Your most obedient servant,
G Madhava Rao
For Secretary,
Insurance Department.

Subd: with a draft order
9/1/ Finly. 16/1
KS/ 9/1/39 I mark the amended
Chapter appd portions in the Rules
16.1.39 Addl. Secy.
6523 1939
Dewan

Serial No.

5792

GOVT. LIFE INSURANCE DEPT. 40265 20 JAN 1939 Encl. BANGALORE.

Immediate.

To the Insurance office for kind compliance

Subd: The existing Rules (21 & 22) have been entirely ~~amended~~ rescinded. It is ascertained from the Insurance office that they have prepared a statement showing the changes. This may perhaps be sent to the Ins: office to put up that statement.

Please get the reply early

No. A299. 31 JAN 1939

Returned with compliments:-

A copy of the statement referred to is enclosed for information.

Ag. Assistant Secretary, Insurance Department.

MN.

FINANCIAL SECRETARY GOVT.

OFFICE OF THE ... COUNCIL No. C. 23

GEN. & REV. SECTT. 1939

Subd: with reference to para 3 of mtg.

2nd Mr)

Dewan

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-83

may the draft already approved

issue?

R.7 (97-38-1

Extract from the Proceedings from the first quarterly meeting of the Mysore Government Life Insurance Committee held on Saturday 17th Dec.'38.

VI. Consideration of the question of the amendment of Rule 21 and Rule 22 so as to make the position clear as regards settlement of claims in respect of assigned Policies.

Resolved that the rules may be altered as proposed.

~~For~~ Secretary,
Insurance Department.

KS/

Note 2. Policies which have been in force for atleast one year are not rendered void by death of the Insured from suicide.

Assignments & Nominations.

22. A Policy holder may assign his policy to another, or nominate any person or persons, to receive the amount payable on it in case of his death. Such assignment or nomination, the latter of which should be in the prescribed form shall, on receipt of a notice thereof, be registered by the Secretary in the books of his office.

Note 1. All assignments of policies sent to the Insurance Office for registration should be accompanied by duplicates, duly signed, dated, and attested as in the case of the originals. Such duplicates are required for record in the office and assignments received without them will not be registered.

Note 2. In registering an assignment, the Insurance Department does not admit or express any opinion as to the form, legality validity or effect of an assignment and the assignor should satisfy himself on these points before submitting the assignment for registration. A fee of Re.1/- is levied for registering any assignment other than that made by the Insured in favour of his/her wife/husband, children or parents.

Asst Secretary
Insce Deptt

Typed 27/2/12

Assignment & Nominations.

22. A Policy holder may assign his policy to another, or nominate any person or persons, to receive the amount payable on it in case of his death. Such assignment or nomination, the forms of which should be in the prescribed form shall, on receipt of a notice thereof, be registered by the Secretary in the books of his office.

Note 1. All assignments of policies sent to the Insurance Office for registration should be accompanied by duplicates, duly signed, dated, and attested as in the case of the original. Such duplicates are required for record in the office and assignments received without them will not be registered.

Note 2. In registering an assignment, the Insurance Department does not admit or express any opinion as to the form, legality validity or effect of an assignment and the assignor should satisfy himself on these points before submitting the assignment for registration. A fee of Re. 1/- is levied for registering any assignment other than that made by the Insured in favour of his/her wife/husband, children or parents.

PAYMENT OF CLAIMS.

21. Provided no notice to the contrary has been served on the Secretary by a competent court of law in the Mysore State, the sum payable on a policy issued under these rules shall, on surrender of the policy and Reversionary Bonus Certificate's, if any, and subject, in the case of a claim arising by death of the Insured, to the production of satisfactory proofs of death, be paid -

a) if an assignment of the policy has been registered under Rule 22, to the person or persons entitled to receive payment under the terms of the assignment;

b) if no assignment of the policy has been registered under Rule 22, and -

i) if the claim arises by maturity of the policy in the ordinary course, to the Insured himself;

ii) if the claim arises by death of the Insured, to the surviving nominee or nominees, if any, registered under Rule 22; and failing such nominees to the legal heirs declared as such by a competent court of law in the Mysore State;

Provided that in the event of the death of the Insured before an assignment or nomination in respect of the policy has been registered by the Secretary under Rule 22, and the sum payable does not exceed Rs. 2,000/-, payment may be made to such person or persons, as the President of the Insurance Department, after reasonable enquiry, finds entitled to the claim.

Note: 1. An authenticated extract of the Mortuary Register of the place where the Insured died and a statement of two respectable persons who have personally attended the cremation or burial of the dead body of the Insured may be considered sufficient proof of death.

Note: 2. Policies which have been in force for at least one year are not rendered void by death of the Insured from suicide.

AMENDMENT OF THE ORDER DATED 8TH MARCH 1934 OF THE MYSORE GOVERNMENT LIFE INSURANCE DEPARTMENT.

Read:-

Letter No. A. 203 dated the 23rd December 1938 from the Secretary, Mysore Government Life Insurance Department forwarding for sanction of Government, certain amendments of Rs. 21 and 25 of the Public Branch passed at the meeting of the Insurance Committee held on the 17th December 1938.

ORDER No. FC. 5-846-38 SR. 197-38-2.

Dated, Bangalore, the 8th March 1939.

Sanctioned.

The amended rules are published as an annexure to this order.

C. Balaiah
Financial Secretary to Government

To

The Comptroller to Government.
" Secretary, Mysore Government Life Insurance Department.
" Insurance Department.
" Compiler, Mysore Gazette for publication.
" Deputy Commissioners of Districts.
" Other Heads of Departments.
" Publicity Officer to Government of Mysore.

G. R. S. App. F VI—G 2]

SUBJECT .....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the 193 .

Date of issue ..... 8.3. .....193 9.

~~a Note for translation sent~~

Signed by ..... the G.O. .....

May this be—

(i) printed ? Yes

(ii) treated as a standing order ? Yes

(iii) published in the Gazette, English Part ? Yes

(iv) translated ? Yes

(v) placed at the disposal of the press? Yes

(vi) published in the Gazette, Kannada Part ? Yes

Section S. 2.

File No. 1-2-35

Serial No. 2

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read—

Letter No: A. 265 to 68 dt 23rd Dec: 1938 from the Secy to Govt: Insurance Dept: forwarding for sanction as noted in the margin ~~Copy of resolution No: VII regarding~~ of Govt. certain ~~the~~ amendments of Rules 21 & 22 of the Public Branch passed at the meeting of the Insurance Committee held on the 17th Dec: 1938

Order thereon.—No. FI S-846-90 9.2.

Sanctioned / Not amended Rules are published as / amended by this order.

ISMow 9/11

C.S.O. 1.09 FI: Secy: to Govt.

To the Superintendent

Govt Secy: Mysore for kind information

Insurance Deptt

The Compiler, Mysore Law for publication

The Dy: Commrs of Districts

The other Heads of Depts:

The Publicity Officer.

PAYMENT OF CLAIMS.

21. Provided no notice to the contrary has been served on the Secretary by a competent court of law in the Mysore State, the sum payable on a policy issued under these rules shall, on surrender of the policy and Reversionary Bonus Certificate's, if any, and subject, in the case of a claim arising by death of the Insured, to the production of satisfactory proofs of death, be paid -

a) if an assignment of the policy has been registered under Rule 22, to the person or persons entitled to receive payment under the terms of the assignment;

b) if no assignment of the policy has been registered under Rule 22, and -

i) if the claim arises by maturity of the policy in the ordinary course, to the Insured himself;

ii) if the claim arises by death of the Insured, to the surviving nominee or nominees, if any, registered under Rule 22; and failing such nominees to the legal heirs declared as such by a competent court of law in the Mysore State;

Provided that in the event of the death of the Insured before an assignment or nomination in respect of the policy has been registered by the Secretary under Rule 22, and the sum payable does not exceed Rs.2,000/-, payment may be made to such person or persons, as the President of the Insurance Department, after reasonable enquiry, finds entitled to the claim.

Note 1. An authenticated extract of the Mortuary Register of the place where the Insured died and a statement of two respectable persons who have personally attended the cremation or burial of the dead body of the Insured may be considered sufficient proof of death.

SUBJECT MATTER:- U.O. file from the Financial Secretariat Regarding amendment of Rules 21 and 22.

Rule as it stands at present	Rule as proposed to be amended.	Reasons for proposing amendment.
PAYMENT OF POLICIES Rule-21. The amount assured by a policy issued under these rules, if it is an ENDOWMENT POLICY shall be paid to the - insured after its - maturity in the ordinary course. If it is a - WHOLE LIFE POLICY or in cases of endowment - policies in which the claim arises by death, the payment will be made to the surviving registered nominee of the insured (vide Rule 22) or his - legal heirs as the case may be, on surrender of the policy. Note. Policies are not rendered void by death from suicide if they have been in force for at - least one year.	PAYMENT OF CLAIMS. Rule 21. Provided no notice to the contrary has been served on the Secretary by a competent court of Law in the Mysore State the sum payable on a policy issued under - these rules shall, on surrender of the policy and Reversionary Bonus Certificate's, if any, and subject, in the case of a claim arising by death of the Insured, to the production of satisfactory proofs of death, be paid - (a) if an assignment of the policy has been - registered under Rule 22, to the person or persons entitled to receive - payment under the terms of the assignment; (b) if no assignment of the policy has been registered under Rule 22, and - (i) if the claim arises by maturity of the policy in the ordinary course, to the Insured himself; (ii) if the claim arises by death of the Insured, to the surviving nominee or nominees, if, any, - registered under Rule 22, and failing such nominees to the legal heirs - declared as such by a - competent court of Law in the Mysore State; Provided that in the event of the death of the Insured before an assignment or nomination in respect of the policy has been registered by the Secretary, under Rule 22, and the sum payable does not exceed Rs.2,000, payment may be made to such person or persons, as the President of the Insurance Department, after reasonable enquiry, finds entitled to the claim.	These clauses are applicable to all classes of claims, but there is no mention of these in the existing rule. (a) In assigned cases, whether the policy is an endowment policy or a whole life policy, payment will have to be governed by the terms of the assignment, and cannot be made in the - ordinary course to the - insured himself or his - registered nominee as - provided for in the present rule. Proviso & Note (1)-These are at present provided for under Rule 22, but they find a more appropriate place here. Note (1)-This is the same as the existing note, with a slight verbal alteration.

Note 1. An authenticated extract of the Mortuary Register of the place where the Insured died, and a statement of two respectable persons who have personally attended the cremation or burial of the dead body of the Insured may be considered sufficient proof of death.

Note.2. Policies which have in force for at least one year are not rendered void by death of the Insured from suicide.

Registry of Nomination Rule 22.

An Insured person may assign his Policy to another or nominate any person to receive the amount assured by it in case of his death. Such assignment, or nomination made in the form prescribed, shall be registered by the Secretary in the books of his office and the amount assured by the Policy may be paid to such assignee or nominee on satisfactory proof of death of the Insured and surrender of the policy provided that no notice to the contrary is served on the Secretary by a competent Court of Law. Should the Policy mature in the ordinary course, during subsistence of such assignment or nomination, the amount of an assigned Policy will be paid to the assignee and that of a Policy in respect of which nomination has been made to the Insured himself.

In the event of death of the insured before an assignment of his Policy or a nomination therefor has been recognised by the Deputy Secretary to the Insurance Department, the bonus assured by it may be paid on surrender of the Policy, to such

Assignments & Nominations Rule 22.

A policy holder may assign his policy to another or nominate any person or persons, to receive the amount payable on it in case of his death. Such assignment or nomination, the latter of which should be in the prescribed form shall, on receipt of a notice thereof, be registered by the Secretary in the books of his office.

Note 1. All assignments of policies sent to the Insurance Office for registration should be accompanied by duplicates, duly signed, dated, and attested as in the case of the originals. Such duplicates are required for record in the office and assignments received without them will not be registered.

Note 2. In registering an assignment, the Insurance Department does not admit or express any opinion as to the form, legality validity or effect of an assignment and the assignor should satisfy himself on these points before submitting the assignment for registration. A fee of Re 1/- is levied for registering any assignment other than that made by the Insured in favour of his/her wife/husband, children or parents.

As the rule contains provision relating to both nominations and assignments, the heading has been altered suitably.

The provisions relating to settlement of claims and Note iii have been deleted here, as they have been included under the previous rule.

person or persons whom the President of the Insurance Department, after reasonable enquiry finds to be entitled to receive it, provided that the sum payable does not exceed Rs.2,000. In all other cases, the amount assured shall be paid to legal heirs declared as such by a competent Court of Law in the Mysore State and on the surrender of the Policy.

In cases falling under this and the preceding rule, the assured amount may, if so desired, be paid partly or wholly in the form of Annuities certain.

Note.1. All assignments of policies sent to the Insurance Office for registration should be accompanied by duplicates duly signed, dated and attested as in the case of the originals. Such duplicates are required for record in the office and assignments received without them will not be registered.

NoteII. The Insurance Office will not admit or express any opinion as to the form, legality, validity, or effect of any Assignment and the insured shall satisfy himself on these points before he submits the assignment for registration. A fee of Re.1/- is levied for registering an assignment made in favour of any one other than the wife, children or parents of the insured.

Note.III An authenticated extract of the Mortuary Register of the place where the insured has died and the statement of two respectable persons who have personally attended the cremation or the burial of the dead body of the Insured may be considered sufficient proof of death.

MN.

T.N. Bhatta 30/1

Ag.Assistant Secretary,
Public Branch.

hs 30.1.35